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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

OCT 11 1990

Ronald L. Wilson, Director  
Health Assessment Policy Staff  
Office of Health Affairs (HFY-20)  
Food and Drug Administration  
5600 Fishers Lane, Room 11-44  
Rockville, MD 20857

Dear Mr. Wilson:

The attached application for patent term extension of U.S. Patent No. 4,312,860 issued January 26, 1982, was filed on October 1, 1990, under 35 U.S.C. 156.

The assistance of your Office is requested in confirming that the product identified in the application has been subject to a regulatory review period within the meaning of 35 USC 156(g) before its commercial marketing or use. Since a determination has not been made whether the patent in question claims a product which is subject to the Federal Food, Drug and Cosmetic Act, this communication is NOT to be considered as notice which may be made in the future pursuant to 35 USC 156(d)(2)(A).

Our review of the application to date indicates that the subject patent would be eligible for extension of the patent term under 35 USC 156.

*C.E. Van Horn*

Charles E. VanHorn  
Patent Policy & Programs Administrator

cc: Lawrence A. Nielsen  
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